

Kevin M. and Monica S. Barry, as Trustees of the Barry Family Trust dated November 15, 2006, have petitioned the Land Use Commission of the State of Hawai‘i (LUC) for a State Land Use (SLU) District Boundary Amendment (DBA) to reclassify approximately 0.51 acres of land located within the Hawaiian Paradise Park subdivision in Puna and identified by Tax Map Key No. (3) 1-5-059:059 (Barry Property) from the SLU Conservation District to the SLU Agricultural District. The reclassification of land from the SLU Conservation District is a trigger requiring environmental review under Chapter 343, Hawai‘i Revised Statutes.

The Barrys are pursuing the DBA to allow for the construction of a modest three (3) bedroom, two (2) bath, approximately 1,800 sq. ft. single-story dwelling and associated agricultural uses that the Barrys will use as their primary personal residence (Project). The Project is proposed to also include a two-car garage, a lanai, a courtyard, a small swimming pool, infrastructure, and appropriate landscaping. The Project would be similar to, and consistent with, the existing uses of the neighboring SLU Agricultural District lands within the Hawaiian Paradise Park.

The Project is not anticipated to have significant adverse impacts on biological resources. With respect to flora, the Barry Property is dominated by alien plants, with the only native ecosystem being the shoreline vegetation, where common native plants are present. The Barrys are proposing to site all Project improvements mauka and outside of these resources, and therefore no adverse impacts to vegetation or habitat is expected. Regarding fauna, no threatened or endangered species were observed to be present on the Barry Property when surveyed, although it is acknowledged that some endangered but regionally widespread terrestrial vertebrates could occasionally overfly the Barry Property. To mitigate any potential impact to these species, the Barrys will refrain from activities that disturb or remove woody vegetation taller than fifteen (15) feet in height between June 1st and September 15th, and all exterior lighting will be shielded from shining upwards in conformance with the Hawai‘i County Code.

The Barry Property also was surveyed for archaeological and cultural resources, which revealed no archaeological features present on the Barry Property. These findings are consistent with the findings of surveys previously conducted for twenty-two (22) other properties within Hawaiian Paradise Park, all of which reported negative findings. In the unlikely event that unanticipated archaeological resources are unearthed, work in the immediate vicinity of those resources will be halted and the appropriate authorities notified.

A cultural impact assessment focusing on identification and impact analysis of valued cultural, historical, and natural resources concluded that no such resources are present on the Barry Property, although the coastline makai of the Barry Property has been and continues to be used by local fishermen and gatherers to procure a variety of marine resources. The Barrys are aware of these activities, and the siting of the Project’s improvements will ensure that these activities will not be adversely affected.

The Barrys also commissioned a coastal erosion study, which included an assessment of other geologic and coastal hazards potentially affecting the Barry Property. In general, geologic conditions do not impose undue constraints on the Project, as much of the Puna District and nearly all of Hilo face similar volcanic and seismic hazards. The potential for damage to the

Project from coastal erosion and other coastal hazards can be minimized or avoided altogether through the appropriate siting of the Project's improvements.

The Project will not affect any designated scenic vistas or viewplanes. Intermittent scenic views of the shoreline and Pacific Ocean along Paradise Ala Kai Drive are present between the dozens of existing dwellings. Currently, heavy vegetation blocks all views through the Barry Property; development of the Project would likely open up at least some coastal views. Air quality in Hawaiian Paradise Park is generally excellent, except when Kona winds bring vog (volcanic fog) to the area. Noise at the Barry Property is moderate, partly derived from natural sources such as surf, birds, and wind, with some contributions from neighboring dwellings and traffic on Paradise Ala Kai Drive. Brief and minor adverse effects would occur during construction of the Project; however, given its small scale and consistency with neighboring land uses, the Project is not anticipated to affect air quality or noise levels in any substantial ways, and no mitigation measures are necessary.

Based upon onsite inspection and the lack of any known former or current uses of the Barry Property, it appears that the site contains no hazardous or toxic substances and exhibits no other hazardous conditions. All site work performed in connection with the Project will be conducted in conformance with applicable Federal, State and County regulations. The general shoreline area in Hawaiian Paradise Park already supports hundreds of dwellings and is utilized by residents and property owners to park vehicles and fish, and there are no reported water quality problems associated with these uses. Upon completion, the Project would be similar to the existing dwellings and associated uses in the area, and is not expected to contribute to sedimentation, erosion, or pollution of coastal waters.

The Project is also not expected to adversely affect public roads, services, or utilities. Road access to the Barry Property is provided via Paradise Ala Kai Drive. Electrical power and landline telephone service to lots in the area is provided by Hawai'i Electric Light poles; however, the Barrys are proposing to install a photovoltaic solar system that will allow the Project to be powered completely, or at least partially, "off-grid." Potable and wastewater will be handled on site through a septic system in conformance with all applicable State and County regulations. The addition of one single-story dwelling and associated agricultural uses will have no measurable adverse impact to or create an additional demand on public facilities such as schools, police or fire services, or recreational areas.

Finally, due to its small scale, the construction and occupation of the Project in this rural-agricultural neighborhood would not produce any major secondary impacts, such as population changes or effects on public facilities and infrastructure. At any given time, it is normal to have a number of lots under some form of development in Hawaiian Paradise Park. Other than precautions for preventing adverse impacts during construction, no special mitigation measures should be required to counteract the small cumulative effects.